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Letter dated 25 March 2008 from the Permanent Representative of France to the United Nations addressed to the President of the General Assembly

I have the honour to inform you that the French Government, desiring to participate in strengthening the activities of the States Members of the United Nations in regard to the protection of all human rights for everyone, has submitted its candidacy for re-election to the Human Rights Council in the elections to be held on 16 May 2008.

Please find attached a document setting out France's voluntary commitments with respect to human rights. France, which has never ceased to take practical action to promote human rights, undertakes to continue these efforts both domestically and internationally, in cooperation with all States Members of the United Nations.

I would be most grateful if you would arrange for the text of this letter and its annex to be issued as a General Assembly document.

(*Signed*) Jean-Maurice **Ripert**

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Annex to the letter dated 25 March 2008 from the Permanent Representative of France to the United Nations addressed to the President of the General Assembly

Candidacy of France for elections to the Human Rights Council

Human rights are among the founding values of the French Republic. Respect for human rights is central to the exercise of democracy in France and to our commitment as a member of the European Union.

Having contributed from the outset to the work of the Commission on Human Rights and subsequently the Human Rights Council, *France is particularly attached to the international system for promoting and protecting human rights.* France has ratified the main international instruments relating to human rights and recognizes the competence of the treaty bodies to receive individual complaints. It is also a party to the 1949 Geneva Conventions and their Additional Protocols of 1977 and 2005.

France committed itself to the establishment of the Human Rights Council, the strengthening of the authority and resources of the Office of the High Commissioner for Human Rights and the dissemination of human rights throughout the United Nations system. It has submitted consensus resolutions on arbitrary detention, enforced disappearances and extreme poverty to the Commission on Human Rights and later the Human Rights Council.

France promotes dialogue and cooperation in regard to human rights. To promote universal and interdependent human rights, France prefers engagement to isolation. It will continue to increase its voluntary contribution to the Office of the High Commissioner for Human Rights in order to encourage technical assistance. It wishes to continue to play a constructive role and to encourage dialogue on the grave situations examined by the United Nations.

It has issued a standing invitation to France to the special procedures of the United Nations. In 2005, it welcomed the Special Rapporteur on freedom of religion or belief and in 2007 the Independent expert on minority issues. Since 2002, it has specifically assigned an associate young expert to support the Special Representative of the Secretary-General on human rights defenders.

As a member of the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE), France has recognized the competence of committees monitoring regional instruments. It receives visits from the independent institutions of those organizations, at their request, such as the Commissioner for Human Rights of the Council of Europe (survey report in 2006, one-off visit in January 2008), the European Committee for the Prevention of Torture (last visit, late 2006), the three representatives of the current OSCE Presidency responsible for combating anti-Semitism and discrimination against Muslims and Christians (2005), and electoral observer missions from the Office for Democratic Institutions and Human Rights (observation of the presidential elections in May 2007). It is also subject to the jurisdictional oversight of the European Court of Human Rights, that can be seized directly of any individual application pursuant to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

France is attached to the right of non-governmental organizations and national human rights institutions to address the Human Rights Council and is attentive to respect of that right.

In accordance with its conception of the indivisibility and interdependence of all human rights, and with its desire for fair and controlled globalization, *France is attached to the promotion and protection of economic, social and cultural rights.* France accords particular importance to the realization of the right to development. Its commitment is expressed through co-development partnerships and cooperation agreements.

1. Since 2006, France has taken practical steps to promote human rights:

France's political commitment to human rights was reflected in the appointment in 2007 of a Secretary of State for Foreign Affairs and Human Rights and a High Commissioner for Active Solidarity, whose brief includes the fight against extreme poverty.

(a) *France promotes the respect in all circumstances of human life and dignity and of international law*, especially international standards relating to human rights and international humanitarian law.

- The procedure for ratifying the International Convention for the Protection of All Persons from Enforced Disappearance will be completed in 2008, in line with France's commitment in 2006. Having worked for the adoption of the Convention for more than 30 years, it hosted the ceremony to open the Convention for signature in Paris in 2007. France has promoted the creation of a "group of friends" of the International Convention for the Protection of All Persons from Enforced Disappearance to encourage as many States as possible to ratify it and promptly bring it into effect.
- The procedure for ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment will be completed in 2008, in line with France's commitment in 2006. The national mechanism for the prevention of torture (a "controller general of places of deprivation of liberty") provided for in the Protocol was created by statute in 2007.
- France has brought its law into line with its diplomatic commitment to universal abolition of the death penalty by incorporating a ban on capital punishment into its Constitution. Thus, in 2007 it was able to ratify the second Optional Protocol to the International Covenant on Civil and Political Rights and Protocol 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the death penalty in all circumstances.
- At the regional level, France also ratified the European Convention on the Exercise of Children's Rights in 2007 and the European Convention on Action against Trafficking in Human Beings in 2008.
- France has contributed to the establishment of a Human Rights Council that is as effective and legitimate as possible. It cooperates fully with the Human Rights Council and all United Nations investigation mechanisms and its action on human rights will be discussed from 2008 as part of the universal periodic

review, which it is endeavouring to publicize, inter alia by supporting seminars to promote the procedure.

- France promotes respect for international humanitarian law in armed conflicts and respect of the obligations on parties to a conflict to protect civilians, prisoners of war and the wounded. It supports the activities of the International Committee of the Red Cross (ICRC). France is committed to the protection of journalists and other media professionals in situations of armed conflict in accordance with resolution 1738 (2006) adopted by the United Nations Security Council on the initiative of France among others.

- France substantially increased its contribution to the United Nations Democracy Fund in 2007, making it one of the top six contributors.

- France is implementing cooperation projects on human rights in some 30 countries worldwide, in association with local authorities and civil society. One such project is the result of a partnership with the Office of the High Commissioner for Human Rights.

(b) *France is committed to support victims of human rights violations*

- Concerned to combat the impunity of those who commit human rights violations, France has made a particular effort to promote international criminal justice and the role of the International Criminal Court (ICC). It is also committed to supporting the victims of human rights violations, especially in the framework of the ICC Trust Fund for Victims, to which France is the second largest contributor.

- In February 2007, France organized in Paris a conference with the title "Free Children from War" under the joint chairmanship of the Minister for Foreign Affairs and the Director-General of the United Nations Children's Fund (UNICEF), at which the updated Cape Town Principles, known as the Paris Principles, were presented. To date, 66 countries have signed up to the Paris Commitments. In October 2007, France and UNICEF organized a ministerial follow-up meeting and announced the creation of a forum to monitor the Paris Commitments. It has also created posts for experts on the subject in its embassies.

- In 2007, it ratified the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children.

- In accordance with its commitment in 2006, France has doubled its contribution to the United Nations Fund for Victims of Torture.

- It has supported an international seminar on the link between international justice and transitional justice organized by the United Nations Centre in Yaoundé.

- France, with other partners, was an instigator of the international solidarity levy on airline tickets, which nearly 30 countries have pledged to introduce. The scheme already generates an additional US$ 300 million for development.

(c) *France supports initiatives to combat all forms of discrimination*

- In accordance with the recommendations of the Committee on the Elimination of Racial Discrimination, France has established a national High Authority to Combat Discrimination and Promote Equal Opportunity.
- France has withdrawn its reservation to article 5 (b) of the Convention on the Elimination of All Forms of Discrimination against Women.
- France has incorporated gender issues into its international cooperation and development activities, both as an objective in its own right and as a means of improving the effectiveness and scope of its actions in favour of achieving the Millennium Development Goals.
- France attaches great importance to combating violence against women, as illustrated by its submission of a specific resolution on the subject to the United Nations General Assembly for the last two years. It has entered into a large-scale regional partnership with the United Nations Development Fund for Women (UNIFEM).
- France wishes to work for dialogue between cultures and civilizations and for the promotion of tolerance and respect for individual liberties. In this regard, it has instituted the Mediterranean Cultural Workshop and supports initiatives like the Alliance of Civilizations.
- France has actively contributed to the completion of negotiations on the Convention on the Rights of Persons with Disabilities and has signed it.

2. France is committed to continuing and expanding its action for human rights both domestically and internationally

- In addition to a large-scale event in December 2008, France will host several significant events to commemorate the sixtieth anniversary of the Universal Declaration of Human Rights.
- It is committed to promoting international human rights law and international humanitarian law within the United Nations, and in particular to:

– continuing its action on the Human Rights Council against enforced disappearances and arbitrary detention and in favour of the refusal of secret imprisonment and an absolute ban on torture and reaffirming its attachment to respect for human rights in the fight against terrorism in all the action it takes;

– ratifying the Convention on the Rights of Persons with Disabilities at the earliest opportunity and promoting it among other States in order to reaffirm the integral nature of the rights of any person, whatever his or her disability;

– supporting the process of drawing up an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights with a view to improving the implementation of those rights, the reflection on extreme poverty and the work of the Special Rapporteur on human rights and transnational corporations and other business enterprises;

– continuing its commitment to the fight against the use of children in armed conflicts, within the framework of the Security Council Working Group set up on France's initiative and chaired by France; continuing to disseminate as

widely as possible the Paris Commitments on the non-recruitment, demobilization and reintegration of children affected by armed conflicts;

– continuing its efforts for the respect of all fundamental women's rights, the elimination of all forms of discrimination and violence against women, the representation of women in decision-making bodies and the recognition of their role in conflict prevention; examining the possibility of withdrawing its reservations to articles 14(2)(c) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women;

– working for the widest possible dissemination of the Declaration on the Rights of Indigenous Peoples, adopted by the United Nations General Assembly in 2007;

– disseminating as widely as possible the United Nations Principles to combat impunity.

• It is committed to promoting the activity, defending the independence and strengthening the place of special procedures, treaty bodies and all oversight or investigation mechanisms relating to the human rights situation worldwide. Domestically, it will remain attentive to the recommendations of special procedures and treaty bodies, while continuing in particular, to improve, conditions of detention, enhance the efficiency of criminal procedure and pursue the policy of combating all forms of discrimination. It will cooperate fully with the universal periodic review procedure.

• It is committed to supporting the development of the Office of the High Commissioner for Human Rights in the field, inter alia by helping to finance the Subregional Centre for Human Rights and Democracy in Central Africa.

• In accordance with resolution 62/149 adopted by the General Assembly on 18 December 2007, it will continue its action against use of the death penalty and for its universal abolition.

• Concerned to combat the impunity of those who commit human rights violations, it will continue its efforts to promote international criminal justice and the role of the International Criminal Court (ICC). The bill completing the adaptation of French legislation to the ICC Statute will become law in 2008. It will continue to work for recognition of the right to the truth and compensation for the victims of human rights violations.

• It will continue an ongoing dialogue with human rights defenders in France and elsewhere and will support their initiatives, greater protection for defenders under threat and the mandate of the Special Representative of the Secretary-General on human rights defenders. It will increase its financial support for non-governmental organizations working for human rights, inter alia through a "call for human rights projects" to be issued in 2008. It will continue to support the action of defenders through the award of an annual Human Rights Prize of the French Republic.

• It will continue to encourage the broadest possible application of development initiatives such as the international solidarity levy on airline tickets.

• It is committed to continuing its activities in favour of democracy respectful of human rights and to supporting the United Nations Democracy Fund.